

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

AVIKARAN SINGH,

Petitioner,

v.

MERRICK GARLAND, et al.,

Respondents.

Case No. C24-1406-LK-SKV

REPORT AND RECOMMENDATION

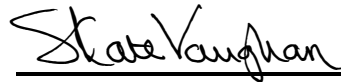
Petitioner initiated this 28 U.S.C. § 2241 immigration habeas action pro se to obtain release from detention. Dkt. 1. Subsequently, the Court appointed the Federal Public Defender to represent petitioner and the government moved to dismiss the petition. Dkts. 5 and 9. More recently, the government advised that Petitioner was removed from the United States and that this action is now moot. Dkt. 14.

Under Article III of the United States Constitution, federal courts may adjudicate only actual, ongoing cases or controversies. *Deakins v. Monaghan*, 484 U.S. 193, 199 (1988) (citations omitted). “For a habeas petition to continue to present a live controversy after the petitioner’s release or deportation . . . there must be some remaining ‘collateral consequence’ that may be redressed by success on the petition.” *Abdala v. I.N.S.*, 488 F.3d 1061, 1064 (9th

1 Cir. 2007). Here, because Petitioner's habeas petition seeks only release from detention, his  
2 claims have been fully resolved. *See id.* at 1064-65. Accordingly, there is no collateral  
3 consequence that could be redressed by the Court and Petitioner's habeas petition should be  
4 dismissed as moot. *See id.* The Court thus recommends this action be DISMISSED without  
5 prejudice. A proposed order accompanies this Report and Recommendation.

6 Objections to this Report and Recommendation, if any, should be filed with the Clerk and  
7 served upon all parties to this suit not later than **fourteen (14) days** from the date on which this  
8 Report and Recommendation is signed. Failure to file objections within the specified time may  
9 affect your right to appeal. Objections should be noted for consideration on the District Judge's  
10 motions calendar **fourteen (14) days** from the date they are filed. Responses to objections may  
11 be filed by **the day before the noting date**. If no timely objections are filed, the matter will be  
12 ready for consideration by the District Judge on **January 7, 2025**.

13 DATED this 17th day of December, 2024.

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15 S. KATE VAUGHAN  
16 United States Magistrate Judge  
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